04/21/2005 01 FC:2814

PTORUM (09-04)
Approved for use through 07/31/2006, IEEE/85/1-031
U.S. Patent and Trademark Office: U.S. DEPARTMENT (SPOMM ROZ
Under the Paperwork Reduction Act of 1955, no persons are requised to respond to a collection of information unless it displays a valid QMS waterburker.

PARTITION OF ITATION OF A HOUSE	Cocke (value agains)
PATENTING REJECTION OVER A "PRIOR" PATENT	071111-0305113
In re Application of: ERIK K SCHEIRER, et al.	
Application No.: 10/624,657	
Filed: July 21, 2003	
FOT SPECIFAL ENCODING OF INFORMATION	
The owner, Sonyx, Inc., of 100 percent interest in the instant application breeby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,608,934 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforced on the instant application and is binding upon the grantee, its successors or assigns.	
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," In the event that said prior patent later.	
expires for fallure to pay a maintenance feet is held unenforceable:	٠.
is found invalid by a court of competent jurisdiction;	•
is statutority disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate;	ì
is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened b	u onu terminal dississer
Check either box 1 or 2 below, if appropriate.	
For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency,	
etc.), the undersigned is empowered to act on behalf of the organization.	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willid false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.	
2. The undersigned is an attorney or agent of record. Reg. No. 40,580	
DM Chel	
// Signature	March 8, 2005
EADDY 00000002 502213 10624657 David A. Jakopin	
65.00 DA Typed or printed name	
(650) 233-450	00
The state of the s	hone Number
Terminal disclaimer fee under 37 CFR 1.20(d) included.	
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and eather/section on PTO-2018.	
"Siztement under 37 CFR 3.73(b) is required if terminal disclaimer is aigned by the assignes (owner). Form PTO/SB/66 may be used for making this certification, See MPEP § 324.	

This collection of information is required by 37. CFR 1.321. The information is required to obtain or retain a bornefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to wite 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Thre will vary depending upon the included case. Any comments on the smeat of this you require to complete this form another suggestions for reducing this burdon, should be cent to the Chief Information Officer, U.S. Petern and Tredemark Office. U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND PEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## **BEST AVAILABLE COPY**

PAGE 444 \* RCVD AT 3/8/2005 7:46:55 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6602334545 \* DURATION (mm-ss):01-18